



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

**FEBRUARY 20, 2006**

*Commissioner Tom Moss, Chairman  
Commissioner Joe Ford, Chairman Pro Tempore  
Commissioner Marilyn Loeffel  
Commissioner George Flinn  
Commissioner John Willingham  
Commissioner Walter Bailey, Jr.  
Commissioner Julian T. Bolton*

*Commissioner Deidre Malone  
Commissioner Michael Hooks  
Commissioner Cleo Kirk  
Commissioner Joyce Avery  
Commissioner David Lillard  
Commissioner Bruce Thompson*

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**1:30 P.M. COMMISSION CONVENES**

**CALL TO ORDER Deputy Sheriff Clayton Maclin**

**INVOCATION Moment of Silence**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### Approval of Minutes of Previous Sessions

**BOLTON February 6, 2006  
ADOPTED**

## C O N S E N T A G E N D A

### Resolutions of Memorial, Sympathy and Commendation

### Ordinances

### Zoning and Subdivisions

**LOEFFEL 1. Resolution approving various subdivision contracts,  
ADOPTED plats, extensions, bond releases, etc. as recommended  
(A-B) by the County Engineer.**

### Reports and/or Resolutions of Standing Committees

**LILLARD  
ADOPTED**

2. Resolution to convey one delinquent tax parcel to the City of Memphis for the use and benefit of the Division of Housing and Community Development for providing affordable housing within the city limits of Memphis.

**LILLARD  
ADOPTED**

3. Resolution rescinding the sale of three delinquent tax parcels from Tax Sale(s) 89.5, 94.3, and 95.2 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.

**LILLARD  
ADOPTED**

4. Resolution approving expenditure of funds by the Department of Homeland Security FY 2005/2006 Operating Budget in the amount of \$59,723.00 to ADT Security for the purchase of one (1) building security system for the Germantown Police Department.

**LILLARD  
ADOPTED**

5. Resolution approving expenditure of funds by the Department of Homeland Security FY 2005/2006 Operating Budget in the amount of \$50,937.50 to Shapiro Uniforms for the purchase of twenty five (25) ballistic body armor kits for the Memphis Police Department.

**AVERY  
ADOPTED**

6. Resolution approving the contract with Lakeside Behavioral Health System to provide psychiatric and substance abuse (alcohol and drug addiction) treatment services to the Shelby County Employee Assistance Program.

**LOEFFEL  
ADOPTED**

7. Resolution approving the amendment to the agreement with Glorious Future increasing the funding amount by \$52,554.00 for the period January 1, 2006 through June 30, 2006.

**LOEFFEL  
ADOPTED**

8. Resolution amending the FY 2006 Aging Commission's program budget and approving grant agreements with the Corporation for National and Community Service.

**BOLTON  
ADOPTED**

9. Resolution approving the Mayor to provide match assurance for a state grant by designating funds budgeted in the FY 2006 Capital Improvement Budget as Line Item No. 925-101908-7024 for Shelby Farms in the amount of \$150,000.00 as a source of matching funds to grant funds requested to support the development of a public restroom facility in Plough Park.

**MALONE  
ADOPTED**

**CONSENT AGENDA**

## **REGULAR AGENDA**

### **Elections, Appointments, and Confirmations**

**Ordinances**

**Zoning and Subdivisions**

**LOEFFEL  
WITHDRAWN**

- 10.    CASE NO. P.D. 05-345 CC**  
**APPLICANT:**        **Grey's Hollow, LLC**
- LOCATION:**            **Southeast corner of Walnut Grove  
Road and Bazeberry Road**
- REQUEST:**           **Mixed use planned development  
consisting of residential, office and  
commercial uses within the Plan**
- Memphis and Shelby County Office of Planning and  
Development recommendation:**  
**APPROVAL WITH CONDITIONS**
- Memphis and Shelby County Land Use Control Board  
recommendation:**  
**APPROVAL WITH CONDITIONS**
- (Notice of public hearing published in the Daily News on  
Friday, October 14, 2005.)**

**LOEFFEL  
ADOPTED**

- 11.    CASE NO. S 05-061 CC**  
**APPELLANT:**        **Fred Elam**
- LOCATION:**            **13.17 acre parcel of property, north  
side of Smithson Trail**
- REQUEST:**           **Appeal to overturn the action of the  
Land Use Control Board approving  
Condition #1 and Design Modification  
#2 for the preliminary plan of the  
Macon Way Subdivision, First  
Addition.**
- Memphis and Shelby County Office of Planning and  
Development recommendation:**  
**APPROVAL SUBJECT TO CONDITIONS  
AND DESIGN MODIFICATIONS**
- Memphis and Shelby County Land Use Control Board  
recommendation:**  
**APPROVAL SUBJECT TO CONDITIONS  
AND DESIGN MODIFICATIONS**
- (No notice of public hearing in newspaper of general  
circulation required; however, notice letters to  
interested property owners mailed on Friday, January  
27, 2006.)**

**LOEFFEL  
ADOPTED**

12.

**CASE NO. P.D. 04-370 CC**

**APPLICANT:** Fountain Brook, LLC

**LOCATION:** East side of Berryhill Road; opposite Berry Bush Lane

**REQUEST:** Overturn decision of Memphis and Shelby County Land Use Control Board which rejected request of Fountain Brook, LLC to delete requirement to provide road improvements along east side of Berryhill Road to retain existing tree coverage.

**Memphis and Shelby County Office of Planning and Development recommendation:**  
REJECTION

**Memphis and Shelby County Land Use Control Board recommendation:**  
REJECTION

**Reports and/or Resolutions for Standing Committees**

**KIRK  
ADOPTED**

13.

**Resolution transferring funds in the amount of \$50,000.00 from Commissioners Contingency Funds for appropriation to the Exchange Club Family Center and approving contract for the provision of domestic violence assessment services.**

**KIRK  
ADOPTED**

14.

**Resolution approving the transfer of funds in the amount of \$75,000.00 from the Commissioner’s Contingency funds and the expenditure of funds in an amount not to exceed \$75,000.00 for the purchase of small business consulting services from the FY 2005-2006 budget for Account Number 010-800301-6637, Outside Contracts.**

**KIRK  
ADOPTED**

15.

**Resolution approving the release of funds for the payment for administrative expenses of the New Memphis Arena Public Authority of Memphis and Shelby County.**

**BAILEY  
(DEFERRED  
TO 03/13/06)**

16.

**A resolution amending the CIP Budget for 2005-2006 and appropriating \$3,000,000 to Shelby County Schools for additions to and/or construction of permanent school facilities in the southeast area of Shelby County to relieve critical overcrowding of schools in that area; and further amending the CIP budget and appropriating to Memphis City Schools an additional sum of \$7,750,000.00 (estimated) for the ADA share and waiving the requirement for approval by the Needs Assessment Committee.**

**BOLTON  
(DEFERRED  
TO 03/13/06)**

17. Resolution by the Board of County Commissioners of Shelby County, Tennessee expressing support for Senate Bill No. 2197 and House Bill No. 1715, relative to predatory lending to the extent as set forth in this resolution.

**FORD  
ADOPTED**

- 17A. Resolution to approve Amendment #4 to the Shelby County Community Services Agency low income home energy assistance program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2006 Operating Budget from \$4,162,470.00 to \$5,684,188.00, an increase of \$1,521,716.00.

**BOLTON  
(DIES FOR  
LACK OF A  
SECOND)**

18. Resolution directing the county administration and County Attorney's Office to prepare any and all documents, resolutions, ordinances and/or legislation deemed necessary to implement the recommendations of the "PILOT Evaluation Program Project: From URS Corporation and Nexgen Advisors" dated December 1, 2005.

#### **Announcements/Statements**

19. Notification from County Mayor of various appointments and reappointments to boards, commissions, and offices of Shelby County Government.
- a. Resolution approving the County Mayor's nomination of Pamela Z. Clary and E. Michael Yarber for appointment to the Shelby County Housing Authority.
  - b. Resolution approving the County Mayor's nomination of Gary L. Burhop and Jacqueline L. Nesbit for reappointment to the Shelby County Health, Education, and Housing Facility Board.
  - c. Resolution approving the County Mayor's nomination of Ronne' Adkins for reappointment and Charles A. Wood for appointment to the Municipal Solid Waste Region Board.
  - d. Resolution approving the County Mayor's nomination of William E. Powell for reappointment to the Shelby County Retirement Board.

#### **Adjournment**

**KIRK  
ADOPTED**

20. Resolution of Adjournment to March 13, 2006, at 1:30 p.m.

**AGENDA # 1**  
**DATE: FEBRUARY 20, 2006**

**1A**

**SUBDIVISION:     HARDIN SUBDIVISION (S 05-071 CO)**

**DEVELOPER:     GARY HARDIN**

**ACTION:         RESOLUTION TO APPROVE THE PLAT FOR HARDIN  
                    SUBDIVISION (S 05-071 CO) AND AUTHORIZE THE  
                    RECORDING OF THE PLAT**

**LOCATION:         SOUTH SIDE OF MUDVILLE ROAD; ±662.73 FEET EAST OF  
                    AUSTIN PEAY HIGHWAY.**

**1B**

**SUBDIVISION:     NORTH HOUSTON LEVEE RETAIL CENTER C.P., PHASE 2  
                    (Z 99-105 CC)**

**DEVELOPER:     NENR INVESTMENTS, LLC**

**ACTION:         RESOLUTION TO APPROVE THE PLAT FOR NORTH  
                    HOUSTON LEVEE RETAIL CENTER C.P., PHASE 2 (Z 99-105  
                    CC) AND AUTHORIZE THE RECORDING OF THE PLAT**

**LOCATION:         WEST SIDE OF HOUSTON LEVEE ROAD, ± 880 FEET SOUTH  
                    OF MACON ROAD**

**[If you have questions regarding the Agenda,  
please call Steve Summerall, Chief Administrator, at 545-4301.]**